AFRICAN DEVELOPMENT BANK GROUP

REGIONAL CONSULTATION ON THE BANK’S INTEGRATED SAFEGUARDS SYSTEM (ISS)

Southern Africa

Lusaka, Zambia 18-20 April 2012

Quality Assurance and Results Department, ORQR
COMPLIANCE AND SAFEGUARDS DIVISION, ORQR.3
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<th>Full Form</th>
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<td>AfDB</td>
<td>African Development Bank</td>
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<td>Country Strategic Papers</td>
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<td>DBSA</td>
<td>Development bank of South Africa</td>
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<td>ISS</td>
<td>Integrated Safeguards System</td>
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<td>IUCN</td>
<td>International Union of Conservation of Nature</td>
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<td>MDGs</td>
<td>Millennium Development Goals</td>
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<td>OS</td>
<td>Operational Safeguards</td>
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<td>PAPs</td>
<td>Project Affected Persons</td>
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<td>PTA</td>
<td>Preferential Trade Area</td>
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<td>Q&amp;As</td>
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<td>RISP</td>
<td>Regional Integration Strategic Papers</td>
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<td>SARC</td>
<td>South African Regional Centre</td>
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<td>VP</td>
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I. INTRODUCTION

The African Development Bank (AfDB) is in the process of revising and updating its environmental and social safeguards system and procedures. As part of this process, the AfDB is conducting consultations with a broad range of stakeholders with a view to improving the quality and relevance of its Integrated Safeguard Systems (ISS). In the Bank’s consultation plan, different categories of stakeholders were made aware of the opportunities that are available for engagement in the design of the Bank’s ISS. One such opportunity is the participation in the Regional consultation meetings by Regional governments, Civil Society Organisations (CSOs), private sector and other relevant international organisations.

The Bank is undertaking the consultations with three objectives in mind:

- Improve the overall quality and relevance of its Integrated Safeguard Systems;
- Promote a shared understanding of safeguard objectives, principles and requirements;
- Guide the formulation of the safeguard policy statement.

In pursuing these objectives, and in accordance with the approved Consultation Plan, the Bank’s consultation meeting in Lusaka, Zambia, for the Southern African Region was guided by the following principles:

- Transparency in documenting and reporting results of this consultation. At a later stage, the participants' comments and staff responses will be consolidated with results of other consultations and be posted on the Bank’s website and disseminated by any other means approved by Management;
- Broad participation by reaching a diverse range of stakeholders, including AfDB’s member country governments, private sector, Non-Governmental Organisations (NGOs), CSOs, academia, project affected persons, indigenous peoples’ representatives, experts and partner development institutions;
- Wide dissemination of information and feedback channels via AfDB’s website and email notification, translation of policy documents, and face-to-face discussion at consultation sessions;
• Accessibility to stakeholders of both the written information in Bank’s working languages and details on the consultation process via web publishing and email system.

• The views and contributions of a wide range of stakeholders generated during this consultation and documented in this report will be used with the objectives of:
  1) Improving the content and clarity of the current proposal;
  2) Increasing operational efficiency;
  3) Ensuring appropriation by borrowers; and
  4) Establishing a mechanism for compliance monitoring and reporting.

II. PREPARATORY PROCESS FOR THE SOUTHERN AFRICA REGIONAL CONSULTATION MEETING
A. GENERAL PLANNING PROCESS

Process of Clearance by Management; Regions and Countries
The Consultation and communication plan for the design of an ISS and Operational Safeguards (OSs) for the AfDB was approved by Management in January 2012. The Vice President, Regional Operations (ORVP) approved Quality Assurance and Results Department, ORQR’s request for assistance and cooperation from regional and countries offices in the organization and management of Regional Consultation on the Bank’s ISS on 13th March 2012.

The above was followed immediately by ORQR’s request to the Director South African Regional Centre (SARC) to assist in organization and management of Regional Consultation on the Bank’s ISS. Originally the planned venue for the South African Regional Consultation was Pretoria, South Africa but the SARC was in the process of moving office premises and therefore was not able to host the meeting on the appointed dates. In Consultation with the Director, SARC and the Resident Representative of the Zambia Field Office, it was agreed that the venue be changed to Lusaka, Zambia. The SARC supported ORQR in the process of identifying participants and the Zambia Field Office in the process of managing the logistics of the meeting.

Budget planning and management/ Logistical arrangements
The consultation sessions were planned and facilitated by Bank staff from ORQR department, Compliance and Safeguards Division, with the support of the Zambian Field Office. The meeting was held from 18 to 20 April 2012 at the Taj Pamodzi Hotel, Lusaka Zambia. The total cost of the meeting was UA 51,750.00. This included travel and meeting costs.

Travel arrangements for all the participants were managed by the AfDB Tunis. To ensure the booking of the accommodation for the participants, payment of per diem and other logistical facilities, ORQR made a request and the Bank transferred 51,750.00 UA to the Zambian Field office. The Bank staff from ORQR managed the budget together with the staff appointed by the Resident Representative from Zambia. Budget details and expenditure are attached as Annex 1.
B. SELECTION OF PARTICIPANTS

A total of 52 participants attended the meeting (including ORQR staff) drawn from nine (9) regional member countries, namely; Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Zambia (host), and Zimbabwe. Representation was drawn from the governments, civil society, private sector, international organisations, Regional Banks and the media. Stakeholder participation by sector is illustrated in Figure 1. To select participants, ORQR wrote to the Director SARC who in turn wrote to the Regional Governments to nominate participants. The nominees by governments were the ones invited to the meeting. Representatives from governments were mainly of the following categories; one Representative of the Ministry of Environment / NEMA, One representative of Private sector organization and in some cases from the Ministry of finance. The SA government did not manage to nominate participants on time however the government promised to participate in subsequent consultations. The list of participants is herein attached as Annex 2.

![Figure 1: Stakeholder participation – Southern Africa Regional Consultation by sector](image)

Process of selecting NGO/CSO and other International and Regional Organizations

To nominate participants representing NGO/CSO, the team from ORQR consulted the Civil Society Engagement Unit at the Bank, AfDB CSO coordination committee, regional governments and other partners to select participants. The key criterion was to involve NGO/CSO and other international and Regional Organizations that had a direct link/interest/stake in Bank’s operations. Key international organizations invited included, Development Bank of South Africa (DBSA), Preferential Trade Area (PTA) Bank, WWF, International Union of Conservation of Nature (IUCN) and Wetland International (WI).
C. PRE-CONSULTATION DOCUMENT DISCLOSURE AND ACCESS TO INFORMATION

The current version of the OSs had already benefitted from extensive internal consultations with AfDB staff. ISS had already been discussed by various experts at different levels and will continue to be discussed by expert panel reviews and international partner institutions such as Conservation International, Worldwide Fund for Nature, International Trade Union Commission and other Multilateral Development Banks that have already contributed to the peer review of preliminary drafts.

Copies of the ISS were posted on the AfDB website at least one month before the commencement of the regional consultations and also sent to various identified stakeholder groups.
III. IMPLEMENTATION PROCESS

STRUCTURE AND MANAGEMENT OF SESSIONS

The Southern African regional consultation meeting was chaired by the AfDB Resident Representative for Zambia, Dr. Freddie Kwesiga, assisted by co-chairs selected from the participants and was facilitated by AfDB’s Compliance and Safeguards Division staff and supplemental consultancy expertise for documenting the process. The exercise was intended to seek the attendance and active participation of a cross-section of stakeholders.

Opening Session

The meeting commenced with an official opening ceremony on 18 April 2012, at 9:00 AM, organized and managed by the AfDB Zambian Field Office. The Opening session was chaired by the AfDB Resident Representative Dr. Kwesiga who provided opening Remarks for the meeting. The Official opening was by Hon. Wilber Simusa, Minister of Lands, Natural Resources and Environmental protection of the Zambian Government. Both Speeches are attached as Annex 3 (a) and 3 (b).

Plenary session for information sharing

The consultation meeting for the Southern Africa Region lasted three days and was held in Lusaka Zambia which is an easy accessible capital city. This facilitated travel and participation of the different stakeholders and ensured the presence of key Bank and government authorities.

The consultations was conducted in two plenary introductory and closing sessions separated by three sub-sessions involving mixed groups of NGOs and CSOs, Private sector, Regional Development Banks and central and decentralized governments.

DAY ONE was devoted to the official opening, presentation of the process of designing the Integrated Safeguards System (ISS) and the various outputs (the policy statement and operational safeguards).

DAY TWO, participants worked in three separate sessions:
Regional Consultation on the Bank’s Integrated Safeguards System – Southern Africa

- **Session 1: Environmental Impact Assessment;** This session covered issues related to the requirements and management of the environmental assessment process relating the ISS which will govern Bank interventions and country systems;

- **Session 2: Social development issues** including resettlement, gender, labor standards, human rights, consultation and disclosure in terms of the adoption as mandatory of their principles and associated constraints and benefits with regard to the decision-making on appropriate and adequate level of due diligence for Bank-funded operations.

- **Session 3: Environment and biodiversity issues** including critical habitats, mainstreaming of climate change into the ISS vs. adoption of a standalone safeguard on climate change.

**DAY THREE,** participants reconvened at a plenary session during which the rapporteurs of the different sessions reported the key issues back to the participants. The various recommendations were then discussed and consolidated as an input to the consultation report for wide dissemination to interested audiences.

**Specialized sessions on key products**
Stakeholders spent day-two discussing how the Bank can effectively and efficiently respond to the environmental and social concerns in its operations through a comprehensive set of OSs guided by the drafts that have been developed by the Bank.

Through both plenary and group discussions, key questions were raised and responded to. A detailed Question and & Answer (Q&A) matrix is appended as Annex 4.

**Wrap up and closing session**
Wrap up and closing session was held on day-three.

**General comments on the ISS (relevance, structure and comprehensiveness)**
Generally, the participants commended the Bank for developing OSs that cover all the relevant aspects. During the general discussion in the wrap session, the participants felt that further reflection should be made on the following:
• **The Rationale:** The participants understood that the development of the ISS was necessitated by the recognition that AfDB does not have clear set of integrated operational safeguards to satisfy social and environmental imperatives when implementing development projects.

That AfDB is the only multilateral bank that does not have safeguards systems and the Bank finds it necessary to harmonise with other banks.

Agreed with the Zambia Minister during the opening, noted that Zambia, just like any other African country, is in a hurry for sustainable development. However, because of poorly designed interventions, Africa is getting tired of negative impacts and lack of much needed impact on the environmental and social systems.

• **Explicitness:** Concepts and statements included in the documents should be explicit and should not leave room for interpretation as such interpretation could be subjective. Where exceptions exist, there is need to define the circumstances under which such exceptions are made. Some examples given include;
  - Where “vulnerable groups” are mentioned, the documents should be clear on who these are to make sure that no one is left out (example given was “children”);
  - Phrases like “technically sound” or “cost-effectiveness” should be avoided as these are subjective and the Bank and the borrowers may not share the same meaning and understanding.

• **Stakeholder Participation and Consultations:** Participants noted that there is need to define the minimum requirements for stakeholder participation and consultation. The guiding principle should be that stakeholder participation and consultations should be inclusive and based on effective communication.

• **Independence and Expert Advice/Input:** it was recommended that there is need to ensure independent review of strategic papers and strategies to inform the entire process of implementation. There should also be independent mechanisms for settling grievances as well as for identifying affected people. The Bank should also ensure that there is independent monitoring and evaluation.
• **Compliance and Alignment to Standards and Legislation**: it is important to ensure that the ISS aligns with legislation and standards in the local jurisdiction or host government. This should include RISPS and CSPS. Consideration should also be given to multilateral agreements such as RIO conventions, Brown Convention as well as conventions in the social arena. It is also important to consider other non-legally binding instruments such as MDGs. The consideration of the international instruments should be important and necessary where the local legislation and standards are agreeably weak.

• **Capacity Building**: the Bank’s support should take into consideration the component of capacity building realizing that most of the African countries do have inadequate capacity. Capacity building Programme should also be adequately resourced financially. This is why the strengthening of national/country systems is a commendable commitment.

• **Responsible and Fair Compensation**: where compensation is applicable, the ISS should ensure fairness at all times. There is also need to provide support to PAPs to ensure responsibility and proper utilization of compensation, to avoid families being impoverished as a result of resettlement.

• **Green Economy**: through its ISS, the Bank should influence strategies that contribute to a “green” growth path. The Bank’s support should encourage practices like recycling.

• **Wider View of Project Area of Influence and Impact**: project areas and their impact areas should not be looked at in isolation. For habitats, the ISS should encourage the consideration of ecological networks that sometimes could cover areas across boundaries. There is need to take a broader catchment view, or consider the entire biodiversity hotspot, or entire protected area. For riverine projects, the ISS should encourage the consideration of upstream and downstream issues including environmental flows.

• **Flexibility**: the ISS should be able to accommodate unforeseen eventualities arising during the implementation of the project.

Additional comments are contained in the Q&A matrix attached as Annex 4.
IV. LESSONS LEARNED AND WAY FORWARD

A. ORGANIZATIONAL ISSUES

Generally, there were no major challenges in the organization of the meeting in Zambia. The lesson learnt is that regional governments delayed to provide names of nominees to participate. In future, request for nominees should be sent at least a month early and reminders should follow.

B. TECHNICAL ISSUES

Most participants did not read the documents sent to them before the meeting and providing them with hard copies in their folder was very helpful. Inviting participants with technical knowledge of environmental and social safeguards made the consultation exercise easier and more fruitful.

Some participants were not well aware of the AfDB and its operations. There is need for AfDB to improve on the Banks visibility.

C. FEEDBACK AND DISCLOSURE

a) All participants expressed interest in the follow-up, to be informed from time to time of the progress of the ISS;

b) It was enormously requested that the participants be given an opportunity to further consult the constituencies that they were representing and be allowed to send additional comments to AfDB for consideration;

c) Participants from Mozambique and Angola requested to have the ISS translated into Portuguese.
V. CONCLUSION

The ISS consultation meeting for the Southern Africa Region was one of the five planned Regional consultation meetings. Proceedings of this Regional consultation meeting were appropriately regrouped into the defined thematic areas, recorded through tracking of Q&As and will be consolidated with outputs from other consultation meetings held in Nairobi in Kenya, Libreville in Gabon, Abuja in Nigeria and Rabat in Morocco and will be disclosed by web-posting, emailing and compilation of a complete consultation report for distribution as an annex to the ISS/OS document to Boards and Management of the AfDB and other stakeholders.
## ANNEX 1: LIST OF PARTICIPANTS

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<tr>
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<th>Country</th>
<th>Name</th>
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<td>1</td>
<td>Mauritius</td>
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<td><a href="mailto:sbuskalawa@gmail.com">sbuskalawa@gmail.com</a> / <a href="mailto:sbuskalawa@mail.gov.mu">sbuskalawa@mail.gov.mu</a></td>
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<td>2</td>
<td>Angola</td>
<td>Maria Lola Purificacao</td>
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<td>Ministry of Environment of Angola</td>
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<td>Mauritius</td>
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<td>6</td>
<td>Zimbabwe</td>
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<td>Zambia</td>
<td>Mr. Julius Chileshe</td>
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<td>Environmentalist and Socio-Economist Consultant. Chalo Sustainable Development Consultants</td>
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Distinguished guests – Ladies and Gentlemen

As you may already know, The African Development Bank (AfDB) in its 46 years of existence, started engaging with Zambia in 1971 and has invested close to $1 billion dollars in Zambia to date. Focusing attention on emerging opportunities and investments in Zambia including areas such as climate change, adaptation and mitigation, the Bank demonstrates its strong commitment to supporting social-economic development through its decentralized Zambia Field Office.

The Bank’s medium-term strategy sets out principles and priorities on the best way to maximize focus and effectiveness and the Bank’s core areas which include; infrastructure, regional integration, governance and private sector. Furthermore, AfDB is currently in the process of developing its Long-Term Strategy which will define the Bank’s strategic direction and further interventions as well as the Bank’s support to regional member countries. LTS consultations in Zambia took place on April 4, 2012 and generated recommendations centered on key drivers for change in the future and Africa’s challenges for the AfDB.

As a way of continuously refocusing its programs under the pillars, the Bank, in line with its commitment to environmental and social sustainability has embarked on a consultation exercise involving African Civil Society Organizations, governments and private sector representatives on its proposed Integrated Safeguards System (ISS).

The Quality and Results Assurance Department (ORQR) is the spearheading entity behind the process and its main aim is to monitor the impact of the Bank’s operations through the
development of advocacy tools, designing new business processes and assisting to strengthen the countries’ capacity to manage for results.

These consultations will aim to evaluate how the AfDB can improve its safeguards compliance procedures to effectively respond to the need of African countries without compromising its own obligations to other stakeholders.

**Why have an Integrated Safeguards System?** The adoption of Operational Safeguards will provide an integrated and updated set of policy requirements on environmental and social safeguards that clearly set out the Bank’s requirements to borrowers and to the Bank’s operations departments.

Along these lines, the Integrated Safeguards System will govern the implementation of the Bank’s operations and aim to be responsive to the aspirations of its clients whilst also ensuring that the institution also fulfils its corporate responsibilities as a leader in Africa. This new system focuses on strengthening environmental governance and institutions and mainstreaming biodiversity services into national and regional policies.

The need for an Integrated Safeguards System is also based upon trends and best practice among Multilateral Development Banks’ (MDBs) and other Development Finance Institutions (DFIs). Following the Paris Declaration, there has been a greater push to harmonise environmental and social safeguards among development agencies. Furthermore, in the past few years, almost all the MDBs have completed or have embarked on major revision and upgrading of their set of environmental and social policies, safeguard requirements and standards. This process has greatly increased the compatibility of MDB environmental and social safeguards, in terms of coverage, specific requirements and procedural steps. **This is highly significant for the Bank’s co-financing with other MDBs.**

In conclusion ladies and gentlemen, this session is a unique opportunity to build a strong partnership with the Bank towards creating stellar solutions needed to advance sustainable environmental development. I look forward to fruitful discourse.

Thank you
ANNEX 2B: OPENING SPEECH

Opening Statement by Honourable Wilber Simusa, Minister of Lands, Natural Resources and Environmental Protection

Regional Consultation on the African Development Bank’s Integrated Safeguards System held at the Taj Pamodzi, Lusaka, 18 – 20 April 2012

Dr. Freddie Kwesiga, AfDB Resident Representative

Senior Government Officials present

Distinguished participants

Ladies and Gentlemen

Mr. Chairman

It is a great honour for Zambia to have been selected to host this important regional discussion forum on the African Development Bank’s Integrated Safeguards System.

I extend my warm hand of welcome to all foreign and local participants.

Zambia shares the African Development Bank’s commitment to developing an Integrated Safeguards System (ISS) to ensure that development projects in Africa are ecologically sustainable, socially acceptable and economically beneficial for the local populations.

The Bank has remained a longstanding partner and supporter of Africa in general and Zambia in particular, having invested over US$1 billion since 1971.

Mr. Chairman, during this period, useful lessons have been drawn on the impact of poorly developed interventions on the environment and populations.

Such issues and challenges that can arise during the project cycle are related to environmental and social impact, involuntary resettlement, labour conditions, health and safety, pollution and biodiversity and ecosystem services.
It is therefore, important that lessons from past interventions, as well as internationally gained experience, are used to design Integrated Safeguards System that suits client countries’ efforts to attain sustainable development.

Mr. Chairman, my government wishes to applaud the African Development Bank for designing this Integrated Safeguards System and allowing member countries to provide inputs in the process.

The objective of the Integrated Safeguards System is to bring together the relevant policy commitments, requirements, procedures, and guidance made by the AfDB to be integrated in one system providing clarity to borrowers and clients on how these should be put into practice.

This is what is being referred to as Integrated Safeguards System.

I am informed that the objectives of this meeting include:

1. Improving the overall quality and relevance of the Integrated Safeguards System;
2. Promoting a common understanding of the safeguards objectives, principles and requirements, and
3. Ensure correct formulation of the safeguards policy statement.

Mr. Chairman, I am further informed that the system outcomes shall revolve around the following key elements:

1. A **Safeguards Policy Statement** which is a declaration of the commitment of the Bank to environmental and social sustainability;
2. A set of five **Operational Safeguards** requirements for reducing potential risk of non-compliance;
3. Revised **Environmental and Social Assessment Procedures** and technical guidance to support the implementation of the ISS and capacity building effort for the Bank and member country staff;
4. A series of studies in key areas such as Indigenous **People, Involuntary Resettlement and elaboration of action plans for strengthening Country Systems**, where knowledge is necessary for the Bank to make sound decisions.
Ensuring compliance with these safeguards can only be assured if member countries have participated in the formulation process. Zambia is greatly honoured, once more for hosting the consultative meeting.

Zambia is in a hurry to generate sustainable development that ensures people level impact and economic growth with equity. Initiatives such as this one will enrich Zambia’s development planning and implementation.

For Zambia, the ultimate goal is to strengthen environmental governance and institutions, help screen and develop green economy and regional development strategies, mainstream climate change in furtherance of inclusive growth and sustainable development.

In its commitment to sustainable development, Zambia places people and their livelihoods at the centre of the development agenda and the involvement of the wider stakeholders such as public sector, private sector and civil society organisations in the consultative processes for the Bank’s Integrated Safeguards System is well appreciated.

Zambia must have its say as a member country of the African Development Bank since the proposed system will apply to our future projects as well as policy programming instruments with the AfDB. Therefore, Zambia must examine the proposed technical considerations with the lens of its own environmental and social assessment procedures and explore the possibility of improving their alignment with our own country systems.

I now wish to declare this regional consultation on the African Development Bank’s Integrated Safeguards System open.

Thank you and enjoy your stay in Zambia.
### Session 1: Towards the Development of an Integrated Safeguards System

This presentation was made by Dr. Diop Mubarak, Chief Safeguards policy Officer ORQR 3 AfDB. It basically covered the process of designing the Integrated Safeguards System (ISS)

#### Questions/Comments and Answers

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<td>1. Did AfDB conduct a comprehensive audit at the first level to inform the second level, especially in ensuring that new dynamics are effectively incorporated in the system? (in Reference to the conceptual diagram of the ISS)?</td>
<td><strong>Response:</strong> The Bank relied on institutional policies and procedures to address the environmental and social impacts of projects funded. Stock of the policies and procedures was undertaken and the identified gaps created the need for developing the safeguards therefore adequately informed.</td>
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<td>2. The safeguards have very clear principles but the implementation aspect is silent.</td>
<td><strong>Response:</strong> The safeguards will play a critical role in preventing negative social impacts on communities and protecting the integrity of the environment through guiding the Bank on funding projects that comply with the requirements proposed.</td>
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<td>3. What mechanism has the Bank put in place to address the downstream impact of projects?</td>
<td><strong>Response:</strong> It is within the remit of the Bank to avoid the proposed development project from going to the Inspectorate Panel (CRMU) which sometimes disrupts the project progress. Therefore, the Bank goes beyond assessment and focuses on a wide area in order to adequately and comprehensively address the impacts at both upstream and down stream impacts.</td>
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<td>4. What practical examples can the Bank give which will demonstrate the benefits of the implementation of the safeguards for Zambia?</td>
<td><strong>Response:</strong> Projects sanctioned and supported by the Bank help the government not only economically but also in addressing social conditions of community members. For instance, in the course of implementing a</td>
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Regional Consultation on the Bank’s Integrated Safeguards System – Southern Africa

project it is discovered that another challenge faced by the communities outside the project is access to water, the Bank makes arrangements for drilling boreholes to improve the water situation in the project area. During the construction of the Kazungula bridge it was discovered that the communities did not only lose land but there were also burial sites in these areas. In this regard, the Bank considered the best way to ensure that in the relocation/resettlement process the issue of graves was addressed with the cultural sensitivity it deserves. This is a clear demonstration of how environmental and social safeguards attempt to address the needs of communities who are the critical beneficiaries in any development process.

5 Did the AfDB make consultations with other international and regional financial institutions in developing the safeguards, considering the fact that the Bank works in partnership with these MDBs?

Response: AfDB has been recommended by other International and Regional Banks and to some extent the work of the Bank in this area has set standards for other MDBs, including the IMF. PTA Bank and DBSA are represented in this meeting.

Session 2: Environmental Impact Assessment; this presentation was made by Eskender Zeleke, Senior Environmental Officer, ORQR 3 AfDB. The presentation mainly covered issues related to the requirements and management of the environmental assessment process relating the Integrated Safeguards System which will govern Bank interventions and country systems,

Questions/Comments and Answers

1 Who are the beneficiaries of the AfDB financing mechanisms? Response: AfDB lends to both public and private institutions through provision of grants and credit facilities.

2 Can AfDB support any policy changes which the borrower would want to make? Response: The Bank does not prescribe environmental and social policies to host countries but rather works within the existing frameworks and only provides assistance and advice on strengthening these processes.
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<td>2 What steps does the Bank take if there is none - compliance with the</td>
<td><strong>Response:</strong> If the Bank notes lack of compliance in the implementation of the project, consultations are undertaken with the borrower and stakeholders to improve compliance and if non-compliance persists, then the project is cancelled.</td>
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<td>operational safeguard on a project financed by the bank?</td>
<td><em>In managing the risks, the Bank has developed an integrated tracking system which will address the concerns with tracking compliance on Bank financed projects.</em></td>
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<td>4 What does the Bank do in cases where projects are politically driven</td>
<td><strong>Response:</strong> In addressing the issue of politically driven projects, the Bank has a Board of Directors who assesses such projects submitted based on the guidelines outlined in institutional policies and systems. If the named project does not meet the requirements, especially on social, environment and procurement as well as sustainability and social returns, it is turned down. The government and the Bank are partners in ensuring conceptualization and implementation of good and sound development projects.</td>
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<td>and governments have no regard of environmental and social concerns of</td>
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<td>the project?</td>
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<td>5 People badly affected by huge development projects are women and</td>
<td><strong>Response:</strong> AfDB has a gender policy independent of the safeguards and this prescribes interventions for addressing project impacts on children and women, particularly the effects and employment opportunities for these marginalized groups. Additionally, gender concerns in this process were taken care of at the preparatory level. The process for developing the ISS has also been publicized on the website so that proposals, including those in gender, could be made in an attempt to strengthen the document.</td>
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<td>children and yet the safeguards document lump these marginalized groups</td>
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<td>as communities. It is critical for AfDB to take a lead on gender issues</td>
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<td>and the rights based approach by making them key requirements for clients</td>
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<td>accessing bank funds.</td>
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<td>6 In the categorization of various stages of the project, the major</td>
<td><strong>Response:</strong> The Bank is working on due diligence and monitoring for compliance at both upstream and downstream impact level as a way of addressing challenges in the implementation of the ESMP. The Bank has given subsequent capacity building support to stakeholders on various issues such as power, transport, especially with regard compliance to requirements during project implementation.</td>
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<td>problem is at the level of monitoring for compliance. There is need to</td>
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<td>develop and implement a monitoring schedule between Bank and the</td>
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<td>borrower which will provide a base for measuring commitment and success</td>
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<td>for compliance in mitigating environmental and social impacts</td>
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<td>The Bank requires that environmental and social impact assessments are</td>
<td><strong>Response:</strong> AfDB has Trust Fund Resources which could be used for supporting feasibility and EIA studies. Additionally, there is a Project Facilitation Facility for project preparation which could be accessed by governments.</td>
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<td>undertaken and meet the requirements for accessing project funding. Has</td>
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<td>the Bank put in place any mechanism to support clients who are unable to</td>
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<td>meet the costs of undertaking these assessments in situations?</td>
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<td>How is compliance to environmental impacts vs. negative results</td>
<td><strong>Response:</strong> In addressing the aspect of compliance vs. impact, the Bank focuses on the results chain within the project cycle and provides stringent supervision and monitoring, including screening for least options which could avoid and minimize impacts.</td>
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<td>addressed?</td>
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<td>There is a possibility of encountering challenges if categorization is</td>
<td><strong>Response:</strong> The Bank does not leave categorization of project with the borrower but rather local environmental agencies should provide recommendations while the Bank is also involved in providing quality assurance on categorization.</td>
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<td>left with the borrower. Does the Bank provide capacity building and</td>
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<td>funding to help the borrowers in this regard?</td>
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<td>Host countries could have good laws and policies on environmental issues</td>
<td><strong>Response:</strong> The Bank provides support to host governments in addressing environmental and social impacts of project implementation. For example, during the implementation of a power project in Ethiopia, AfDB spent US$2m to support government in addressing upstream and downstream impacts of the project.</td>
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<td>but many lack capacity for implementation and assessment of compliance so</td>
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<td>what is the Bank doing to address this challenge?</td>
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<td>COMMENT: Government policies and systems on environment could be a</td>
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<td>hindrance to set-up successful businesses. For instance, in Mozambique</td>
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<td>setting up a restaurant requires an EIA which costs more than the</td>
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<td>capital required for the business. Therefore, is the Bank working to</td>
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<td>polish these host countries’ systems and laws?</td>
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<td>The grievances in compliance to environmental and social concerns in</td>
<td><strong>Response:</strong> Grievances are not only left with the governments but rather it is optional, i.e., could go through the government systems or the Banks independent review unit, CRMU.</td>
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<td>project implementation should not be left to governments. If</td>
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<td>effectiveness is to be achieved, AfDB should take responsibility in</td>
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<td>addressing grievances.</td>
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<td>What is the Bank doing to address the challenges faced by SMEs as a</td>
<td><strong>Response:</strong> It is true that the conditions for accessing funds by SMEs are stringent but there are opportunities for compromise. It is also not in the</td>
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<td>result of stringent conditions in borrowing funds</td>
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**Session 3: Social development issues** presented by Annah Rutebuka, Principal Social Safeguards Officer, ORQR 3. This presentation included resettlement, gender, labor standards, human rights, consultation and disclosure in terms of the adoption as mandatory of their principles and associated constraints and benefits with regard to the decision-making on appropriate and adequate level of due diligence for Bank-funded operations.

**Questions/Comments and Answers**

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<td>1</td>
<td>The mainstreaming of environmental and social issues is affected by the relative understanding of the interaction between these issues by the government, stakeholders and communities. This also creates cost implications for building capacity of these groups in order to achieve success. Meaningful consultation in these processes should therefore be very cardinal.</td>
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<td>How do we negotiate and agree with communities on resettlement compensation so that they do not change their mind on reclaiming their land, especially when the project has winded?</td>
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**From the Banks?**

- Interest of AfDB to create competition with other financial institutions in its countries where it operates. However, the Bank has established terms of credit for SMEs with ZANACO and Invest Trust Bank as well as regional banks such as the PTA.

Other forms of support in this area include:

- Capacity Building Grants for micro-finance institutions such as PULSE
- Venture Capital Funds
- Contracts to companies on public sector works

**COMMENT:** In addressing the issues of cultural heritage, the safeguards should adopt the definition and concepts enshrined in the IUCN as well as focus on natural heritage.
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<td><strong>3</strong></td>
<td>The Bank’s IR policy and principles are good but what mechanisms are there to help communities to demand fair treatment during the implementation of the project, especially looking at the low levels of understanding of own rights among community members?</td>
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<td><strong>Response:</strong></td>
<td>It is the responsibility of the borrower or project implementers to ensure that people understand the relationship between development, poverty and environmental issues as well as their rights in relation to the project. People need to be told about their rights so that they can make informed decisions.</td>
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<td><strong>4</strong></td>
<td>Consultation does not entail consent because many a time the process is undertaken for a purpose of compliance and not to address the needs and aspirations of communities. Therefore, there is need to find a middle ground so that we do not only have a checklist of what should be done but rather effectively address the concerns of stakeholders.</td>
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<td><strong>Response:</strong></td>
<td>In balancing between development and environment, a rigorous process of engagement in the timeframe of project preparation and implementation takes centre stage, while the Bank also puts in place a mechanism that addresses the concerns of people better than they were found.</td>
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<td><strong>5</strong></td>
<td>COMMENT: In order to strike a balance between compliance and development, the concept of development should be defined within the government and civil society circles. After all, development entails addressing the issues that affect communities and environment is a key factor.</td>
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<td><strong>6</strong></td>
<td>Communities should be given an opportunity to choose their own resettlement which does not compromise their rights. It is imperative that both EIA/ESIA and IR plan should be done and concluded at the same time and resources should be found to undertake these important processes which form part of the project preparation.</td>
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<td><strong>Response:</strong></td>
<td>EISA and IR Plan inform each other hence should be undertaken simultaneously and completed at the same time.</td>
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<td><strong>7</strong></td>
<td>As an African Bank for Africans, at what level is the Bank ready to be flexible in supporting the development of Africa, especially taking into consideration the sensitivity and fights of African countries?</td>
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<td><strong>Response:</strong></td>
<td>The bank is always ready to be flexible in addressing the unanticipated eventualities provided they fall within the Bank operational guidelines.</td>
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<td><strong>8</strong></td>
<td>There have been shifts in development assessments from EIA to include social issues but there has not been a deliberate intervention to build the capacity or enlighten consultants to strengthen their capacity in incorporating social issues in their work. Ideally, qualified and experienced social</td>
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<td><strong>Response:</strong></td>
<td>The Bank employs and works with Environmentalists, Sociologists, Economists and Social Scientists who provide technical support in the project cycle.</td>
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<tr>
<td>Question/Comment</td>
<td>Response</td>
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<td>scientists should be part of these processes.</td>
<td>The Operational Safeguards include post evaluations but would like to know what happens after project completes. Clarity should also be made on assessing what happens to people who benefit from compensation 15-20 years down the line. <strong>Response:</strong> The Bank undertakes regular monitoring to monitor progress while evaluation exercises provide information on the impact of the project and compensations.</td>
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<td><strong>COMMENT:</strong> The participation of women in road construction in Mozambique has increased unlike in the past when men dominated the sector. This change has been facilitated by a government policy change in national procurement system which now requires that bidders engage 20% workforce as women.</td>
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<td><strong>Session 4:</strong> Environment and biodiversity issues including critical habitats, mainstreaming of climate change into the Integrated Safeguards System vs. adoption of a standalone safeguard on climate change. <strong>Questions/Comments and Responses</strong></td>
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<td>1 How do we deal with the activities around the fish marines, particularly those of the private sector which often has an impact on the marine systems and communities?</td>
<td><strong>Response:</strong> Addressing the commercial activities around the marine/fish areas is a political choice which needs to be considered in national or regional planning hence has to do with how the government recognizes the importance of the sector. However, the Bank integrates marine ecosystem and biodiversity in OS3.</td>
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<td>2 <strong>COMMENT:</strong> In dealing with ecosystems, the Bank should consider exploitation of the products in pharmaceuticals and if so, genetic materials from the system should be incorporated for sustainable use in the pharmaceutical sector.</td>
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<td>3 In a situation where the interface between the OS and communities in the project cycle becomes a challenge, what mechanisms or system is in place to trigger OS implementation, especially looking at the highly technical tools used?</td>
<td><strong>Response:</strong> Government and the Bank to look at best ways to actively involve communities in addressing environmental and social issues in projects such as working with NGOs and experts to build their capacity.</td>
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